

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BRITTANY MACON,

Plaintiff,

v.

Case No: 8:22-cv-251-CEH-JSS

MRS BPO, LLC,

Defendant.

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ORDER

This matter comes before the Court on Defendant MRS BPO, LLC's Unopposed Motion to Stay (Doc. 9), filed on February 2, 2022. In the motion, Defendant requests the Court stay this action pending the resolution of a related case currently before the Eleventh Circuit Court of Appeals. Plaintiff does not object to the requested relief. The Court, having considered the motion and being fully advised in the premises, will grant Defendant's Unopposed Motion to Stay.

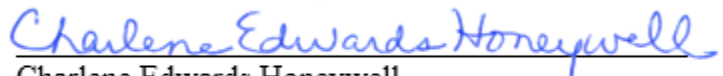
In this action brought under the Fair Debt Collection Practices Act (FDCPA), Defendant moves to stay all proceedings in this case, pending a final decision from the U.S. Court of Appeals for the Eleventh Circuit in the matter of *Hunstein v. Preferred Collection & Management Services, Inc.*, 994 F.3d 1341, 1352 (11th Cir. 2021). The Eleventh Circuit recently vacated its opinion and granted rehearing *en banc* in *Hunstein*. Here, Plaintiff's Complaint is premised on the *Hunstein* opinion, which has now been vacated. Defendant submits that because the Eleventh Circuit's final decision in

Hunstein will have a controlling effect on the issues of Plaintiff's standing in this FDCPA action and the Court's subject matter jurisdiction, a stay is warranted. Defendant further contends that entry of a stay will promote a just, speedy, and inexpensive determination of this proceeding. The Court agrees. Accordingly, upon consideration, it is hereby

ORDERED:

1. Defendant's Unopposed Motion to Stay (Doc. 9) is **GRANTED**.
2. This case is **STAYED** until mandate issues in the appeal in *Hunstein v. Preferred Collection and Management Services, Inc.*, No. 19-14434. Within **TEN (10) DAYS** of the *en banc* Eleventh Circuit's resolution of the appeal, the parties shall file a notice advising the Court of the resolution and joint motion requesting the case be re-opened and the stay be lifted.
3. The Clerk is directed to terminate all deadlines and **ADMINISTRATIVELY CLOSE** this case.

DONE AND ORDERED in Tampa, Florida on February 2, 2022.


Charlene Edwards Honeywell
United States District Judge

Copies to:
Counsel of Record and Unrepresented Parties, if any